



**Bereskin & Parr**

Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

SECTOR.  
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#4

September 24, 2001

Attorney Docket No. 571-690

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

The Commissioner of Patents  
and Trademarks  
Washington, D.C.  
U.S.A. 20231  
**BOX: MISSING PARTS**

**Re: U.S. Patent Application No. 09/864,878**  
**For: TRIPLE QUADRUPOLE MASS SPECTROMETER WITH CAPABILITY TO**  
**PERFORM MULTIPLE MASS ANALYSIS STEPS**  
**Filed: 05/25/2001**  
**Applicant: James W. Hager**

In response to the Notice to File Missing Parts of Application (Filing Date Granted) mailed July 25, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application and an Application Data Sheet;
- (2) a check in the amount of \$1542.00 in payment of the surcharge of 37 C.F.R. § 1.16(e) and surcharge of 37 C.F.R. § 1.16(a) and § 1.16(d), as requested in the Notice to File Missing Parts of Application; and
- (3) a copy of the Notice to File Missing Parts of Application.
- (4) a set of Informal Drawings (16 sheets) in compliance with 37 C.F.R. 1.84

If any additional fee is required, please charge Deposit Account No. 02-2095. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

H. Samuel Frost  
Registration No. 31,696  
/lf  
Enclosure

**BERESKIN & PARR**BOX 401, 40 KING STREET WEST, TORONTO, ONTARIO CANADA M5H 3Y2  
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PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,542.00

**Complete if Known**

Application Number	09/864,878
Filing Date	May 25, 2001
First Named Inventor	James W. Hager
Examiner Name	Not Yet Assigned
Group Art Unit	1741
Attorney Docket No.	571-690

**METHOD OF PAYMENT**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 022095  
Deposit Account Name Bereskin & Parr☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17☒ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
44	-20** = 24	18.00	432.00
3	-3** =		0
Multiple Dependent		270.00	270.00

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 702.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 130	123 130	Petitions related to provisional applications	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 130.00

**SUBMITTED BY**

Name (Print/Type) H. Samuel Frost

Signature

Registration No. (Attorney/Agent)

31,696

Complete (if applicable)

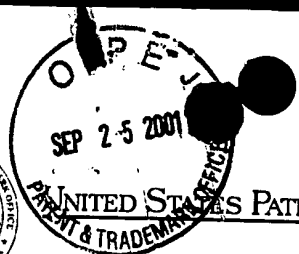
Telephone (416) 364-7311

Date September 24, 2001

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/864,878	05/25/2001	James W. Hager	571-690

1059  
BERESKIN AND PARR  
SCOTIA PLAZA  
40 KING STREET WEST-SUITE 4000 BOX 401  
TORONTO, ON M5H 3Y2  
CANADA

CONFIRMATION NO. 2236

## FORMALITIES LETTER



\*OC000000006341801\*

Date Mailed: 07/25/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$702.
  - \$432 for 24 total claims over 20.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1542.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/26/2001 WDAHTE1 00000026 05864678

01 FC:101	710.00 OP
02 FC:103	432.00 OP
03 FC:104	270.00 OP
04 FC:105	130.00 OP

*A copy of this notice **MUST** be returned with the reply.*

*Samuel*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

703 308 1202